



# PROPOSED RULE MAKING

**CR-102 (June 2004)**

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making**Agency:** Department of Revenue

☒ **Preproposal Statement of Inquiry** was filed as WSR 09-14-062  
☐ **Expedited Rule Making--Proposed notice** was filed as WSR ; or  
☐ **Proposal is exempt** under RCW 34.05.310(4).

☒ **Original Notice**  
☐ **Supplemental Notice to WSR**  
☐ **Continuance of WSR**

**Title of rule and other identifying information:** WAC 458-16-260 *Nonprofit day care centers, libraries, orphanages, homes for sick or infirm, hospitals, outpatient dialysis facilities* explains the property tax exemption for nonprofit hospitals and other nonprofit facilities, authorized in RCW 84.36.040.

**Hearing location(s):**

Capitol Plaza Building  
4th Floor - L&P Large Conference Room  
1025 Union Avenue SE  
Olympia, Washington

Date: December 8, 2009 Time: 10:00 a.m.

**Date of intended adoption:** December 15, 2009  
(Note: This is **NOT** the **effective** date)

**Submit written comments to:**

Name: James A. Winterstein

Address: Post Office Box 47471  
Olympia, Washington  
98504-7471

e-mail: JimWi@dor.wa.gov

fax (360) 570-5880

by December 8, 2009

**Assistance for persons with disabilities:** Contact  
Martha Thomas no later than 10 days before the hearing  
date.

TTY 1-800-451-7985 or (360) 725-7497

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The Department is proposing a revision to this rule to clarify what property owned or used by a nonprofit hospital qualifies for property tax exemption. The proposed amendments provide a clear basis for determining when nonprofit hospital property is exempt. Rather than focusing solely on whether the property is used for in-patient care, the proposed rule focuses on whether the property is fully integrated into a licensed hospital unit.

**Reasons supporting proposal:** The proposed amendments are needed to address technological changes in the operation of non-profit hospitals.

**Statutory authority for adoption:** RCW 84.36.865,  
84.36.040

**Statute being implemented:** RCW 84.36.040

**Is rule necessary because of a:**

Federal Law?

☐ Yes ☒ No

Federal Court Decision?

☐ Yes ☒ No

State Court Decision?

☐ Yes ☒ No

If yes, CITATION:

**Date** November 3, 2009

**Name**

Alan R. Lynn

**Signature****Title**

Rules Coordinator

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE:** November 03, 2009

**TIME:** 2:06 PM

**WSR 09-22-081**

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** None

**Name of proponent:** (person or organization)

Department of Revenue

☐ Private

☐ Public

☒ Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting.....James A. Winterstein	1025 Union Ave. SE. Ste #544, Olympia ,Wa	(360) 570-5880
Implementation.... Brad Flaherty	1025 Union Ave. SE. Ste #200, Olympia ,Wa	(360) 570-5860
Enforcement..... Brad Flaherty	1025 Union Ave. SE. Ste #200, Olympia ,Wa	(360) 570-5860

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

☒ No. Explain why no statement was prepared. A small business economic impact statement is not required for the reason that the rule does not impose any new performance requirement or administrative burden on any small business.

**Is a cost-benefit analysis required under RCW 34.05.328?**

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

☒ No: Please explain: The proposed rule is not a significant legislative rule as defined by RCW 34.05.328.